

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

\* \* \* \* \*

THE CITY OF HUNTINGTON,

Plaintiff,

vs.

CIVIL ACTION  
NO. 3:17-01362

AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,  
Defendants.

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CABELL COUNTY COMMISSION,  
Plaintiff,

vs.

CIVIL ACTION  
NO. 3:17-01665

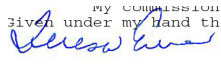
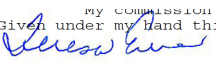
AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,  
  
Defendants.

\* \* \* \* \*

Videotaped and videoconference deposition  
of DR. STEPHEN PETRANY taken by the Defendants  
under the Federal Rules of Civil Procedure in the  
above-entitled action, pursuant to notice, before  
Teresa S. Evans, a Registered Merit Reporter,  
everyone located remotely, on the 6th day of  
August, 2020.



<p style="text-align: right;">Page 154</p> <p>1 in that sense.</p> <p>2 Q. The ideas that are embodied in these</p> <p>3 attachments which Ms. Maiolo refers to as drafts,</p> <p>4 these emerged from discussions among you and your</p> <p>5 staff; is that right?</p> <p>6 A. I -- you'd have to ask her where she got</p> <p>7 the ideas that she put down here. Certainly some</p> <p>8 of it -- some of that -- that is true of some of</p> <p>9 it.</p> <p>10 Q. Okay. Could you turn to the page that ends</p> <p>11 in 77?</p> <p>12 A. Okay.</p> <p>13 Q. Do you see the second -- well, this is --</p> <p>14 first of all, this page is titled "Introduction."</p> <p>15 Is that right?</p> <p>16 A. Yes.</p> <p>17 Q. Do you see the second paragraph that begins</p> <p>18 with "A myriad" --</p> <p>19 A. Yes.</p> <p>20 Q. This says, "A myriad of factors have</p> <p>21 contributed to this priority issue in this</p> <p>22 Appalachian region, specifically in the city of</p> <p>23 Huntington. In the years leading up to the peak of</p> <p>24 substance use, West Virginia workers experienced a</p>	<p style="text-align: right;">Page 156</p> <p>1 education system is one of the lowest in the</p> <p>2 country, contributing to the inability for these</p> <p>3 workers to find new jobs."</p> <p>4 Do you agree that West Virginia's</p> <p>5 education system contributes to the substance abuse</p> <p>6 problem in Cabell County?</p> <p>7 A. I wouldn't say that that way, no. I would</p> <p>8 not answer your question that way.</p> <p>9 Q. Do you agree that West Virginia's education</p> <p>10 system contributes to the inability of workers in</p> <p>11 West Virginia to find new jobs?</p> <p>12 A. I would not phrase it that way, no. And</p> <p>13 that -- I don't know that that's -- that ended up</p> <p>14 in -- I do not believe that that sentence ended up</p> <p>15 in our final draft.</p> <p>16 Q. Do you think that West Virginia's education</p> <p>17 system has any role or plays any role in the</p> <p>18 substance abuse problem that exists here?</p> <p>19 A. I think the education system has an</p> <p>20 opportunity to help solve the problem, absolutely.</p> <p>21 Q. If you continue on in the paragraph,</p> <p>22 Doctor, there's a sentence that begins, "In a</p> <p>23 region largely made up." Do you see that?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 155</p> <p>1 period of high unemployment due to economic</p> <p>2 downturn and the shutdown of many of the</p> <p>3 highest-employing coal mines."</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. Do you believe that high unemployment in</p> <p>7 West Virginia has contributed to substance abuse in</p> <p>8 Cabell County?</p> <p>9 MR. JONES: Objection. He's not here</p> <p>10 as an expert witness; he's here as a fact witness.</p> <p>11 MR. RUBY: And I'm just asking for his</p> <p>12 opinion as someone who led the development of this</p> <p>13 plan.</p> <p>14 A. I mean, what -- I mean, if -- okay, so what</p> <p>15 -- what's the question? What are you asking me?</p> <p>16 Do I believe that sentence? I didn't write that</p> <p>17 sentence. Jodi wrote that sentence.</p> <p>18 Has un -- does unemployment contribute</p> <p>19 to substance abuse? High unemployment contribute</p> <p>20 to substance abuse? I think that's generally -- a</p> <p>21 generally-accepted concept.</p> <p>22 Q. And do you agree with that personally?</p> <p>23 A. I mean, I wouldn't argue with it.</p> <p>24 Q. The next sentence says, "The West Virginia</p>	<p style="text-align: right;">Page 157</p> <p>1 Q. It says, "In a region largely made up of</p> <p>2 blue collar workers, the injury rate is higher than</p> <p>3 more populated areas."</p> <p>4 Let me ask two questions about this</p> <p>5 sentence. First of all, do you agree with the</p> <p>6 statement that's made here?</p> <p>7 A. I don't have the statistics to prove it or</p> <p>8 demonstrate it, so I can't answer that. I don't</p> <p>9 know.</p> <p>10 Q. So you don't -- you don't know if this is</p> <p>11 true or not.</p> <p>12 A. I could -- I can make a -- I can make a</p> <p>13 educated guess about it, but I don't have</p> <p>14 statistics that justify -- or data, to support that</p> <p>15 statement. It may well be true, but I don't have</p> <p>16 knowledge of data to support it or not support it.</p> <p>17 Q. Have you observed, in your clinical</p> <p>18 practice, that there are many blue collar workers</p> <p>19 in the Cabell County region?</p> <p>20 A. I have a small practice. I have some blue</p> <p>21 collar workers; I have some that are white collar</p> <p>22 workers; and I have a good deal of patients who</p> <p>23 have -- who are unemployed or uninsured and poor.</p> <p>24 Q. Would you agree that the injury rate among</p>

<p style="text-align: right;">Page 322</p> <p>1 MS. KEARSE: Thank you, Doctor</p> <p>2 Petrany.</p> <p>3 VIDEO OPERATOR: We are off the record</p> <p>4 at 5:16 p.m., and this concludes the testimony</p> <p>5 given by Stephen M. Petrany, M.D. The total number</p> <p>6 of media units used was eight, and will be retained</p> <p>7 by Veritext.</p> <p>8 (Having indicated he would like to</p> <p>9 read his deposition before filing,</p> <p>10 further this deponent saith not.)</p> <p>11</p> <p>12 --oOo--</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 324</p> <p>1 STATE OF WEST VIRGINIA</p> <p>2 COUNTY OF KANAWHA, to wit;</p> <p>3 I, Teresa Evans, owner of Realtime Reporters,</p> <p>4 LLC, do hereby certify that the attached deposition</p> <p>5 transcript of DR. STEPHEN PETRANY meets the</p> <p>6 requirements set forth within article twenty-seven,</p> <p>7 chapter forty-seven of the West Virginia Code to</p> <p>8 the best of my ability.</p> <p>9</p> <p>10 Given under my hand this 10th day of August,</p> <p>11 2020.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16  my commission Given under my hand th:</p> <p>17 REGISTERED PROFESSIONAL Reporter/Certified Realtime Reporter</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 323</p> <p>1 STATE OF WEST VIRGINIA,</p> <p>2 COUNTY OF KANAWHA, to wit;</p> <p>3</p> <p>4 I, Teresa S. Evans, a Notary Public within</p> <p>5 and for the County and State aforesaid, duly</p> <p>6 commissioned and qualified, do hereby certify that</p> <p>7 the foregoing deposition of DR. STEPHEN PETRANY was</p> <p>8 duly taken by me and before me at the time and</p> <p>9 place and for the purpose specified in the caption</p> <p>10 hereof, the said witness having been by me first</p> <p>11 duly sworn.</p> <p>12 I do further certify that the said</p> <p>13 deposition was correctly taken by me in shorthand</p> <p>14 notes, and that the same were accurately written</p> <p>15 out in full and reduced to typewriting and that the</p> <p>16 witness did request to read his transcript.</p> <p>17</p> <p>18 I further certify that I am neither</p> <p>19 attorney or counsel for, nor related to or employed</p> <p>20 by, any of the parties to the action in which this</p> <p>21 deposition is taken, and further that I am not a</p> <p>22 relative or employee of any attorney or counsel</p> <p>23 employed by the parties or financially interested</p> <p>24 in the action and that the attached transcript</p> <p>meets the requirements set forth within article</p> <p>twenty-seven, chapter forty-seven of the West</p> <p>Virginia Code.</p> <p>My commission expires October 25, 2020.</p> <p>Given under my hand this 10th day of August, 2020.</p> <p>18</p> <p>19</p> <p>20  my commission Given under my hand th:</p> <p>21 TERESA S. EVANS RMR, CRR, RPR, WV</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 325</p> <p>1 Veritext Legal Solutions</p> <p>2 1100 Superior Ave</p> <p>3 Suite 1820</p> <p>4 Cleveland, Ohio 44114</p> <p>5 Phone: 216-523-1313</p> <p>6 August 11, 2020</p> <p>7 To: Joel P. Jones, Jr., Esquire</p> <p>8 Case Name: City Of Huntington v. Amerisourcebergen Drug Corporation</p> <p>9 Veritext Reference Number: 4208115</p> <p>10 Witness: Dr. Stephen Petrany Deposition Date: 8/6/2020</p> <p>11 Dear Sir/Madam:</p> <p>12 Enclosed please find a deposition transcript. Please have the witness</p> <p>13 review the transcript and note any changes or corrections on the</p> <p>14 included errata sheet, indicating the page, line number, change, and</p> <p>15 the reason for the change. Have the witness' signature notarized and</p> <p>16 forward the completed page(s) back to us at the Production address</p> <p>17 shown</p> <p>18 above, or email to production-midwest@veritext.com.</p> <p>19 If the errata is not returned within thirty days of your receipt of</p> <p>20 this letter, the reading and signing will be deemed waived.</p> <p>21 Sincerely,</p> <p>22 Production Department</p> <p>23</p> <p>24 NO NOTARY REQUIRED IN CA</p>